

**Amendment and Response**

Serial No.:09/997,931

Confirmation No.: 5355

Filed: November 30, 2001

For: CIRCULAR DNA VECTORS FOR SYNTHESIS OF RNA AND DNA

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**Remarks**

The Office Action mailed December 27, 2005 has been received and reviewed. Claims 103, 106, 107, 111 and 112 having been canceled, without prejudice, the pending claims are claims 96-102, 104, 105, 108-110, 113-115, 117, 120, and 121. The Examiner is requested to note the inadvertent omission of claim 120 from the Examiner's list of pending claims in line 4 of the Office Action Summary. Applicants maintain that claim 120 is pending, and was allowed by the Examiner in the Office Action mailed February 23, 2005.

Reconsideration and withdrawal of the rejections are respectfully requested.

**Allowability of Claims 96-102, 104, 105, 108-110, 113-115, 117, 120, and 121**

Applicant appreciates the indication by the Examiner in the Office Action mailed December 27, 2005, that claims 96-102, 104, 105, 108-110, 113-115, 117, and 121 are allowed. Further, as noted above claim 120 was indicated as being allowed by the Examiner in the Office Action mailed February 23, 2005.

**The 35 U.S.C. §112, First Paragraph, Rejection**

The Examiner rejected claims 103, 106, 107, 111, and 112 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant respectfully traverses the rejection. However, in the interest of furthering prosecution, Applicant has canceled claims 103, 106, 107, 111, and 112, rendering the rejection moot.

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**Summary**

It is respectfully submitted that the pending claims 96-102, 104, 105, 108-110, 113-115, 117, 120, and 121 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicant's Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted  
By  
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March 14 2006  
Date

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**CERTIFICATE UNDER 37 CFR §1.8:**

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10<sup>th</sup> day of March, 2006, at 11:58 AM (Central Time).

By: Sandie Wigant  
Name: Sandie Wigant